

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-65533-2023

Date of Decision : 28.02.2024

AMRIK SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : None for the petitioner.

Mr.Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. No one has caused appearance on behalf of the petitioner.
2. On 01.01.2024, the following order was passed by a co-ordinate Bench of this Court:-

“The petitioner prays for a pre-arrest bail in a criminal case arising from an FIR No.161, dated 16.11.2023, registered under Section 420 IPC at Police Station Amloh, District Fatehgarh Sahib (Punjab).

The learned counsel representing the petitioner submits that a false case has been registered against the petitioner as the agreement dated 23.06.2021, was executed in order to secure the repayment of loan of Rs.6,00,000/-, which has already been repaid to the first informant Smt. Jasvir Kaur, who is the wife of a police officer. He further submits that though on the basis of a previous agreement to sell dated 07.07.2020, a suit for specific performance of the agreement to sell has been filed, however, the petitioner is yet to file his written statement. He submits that a simple money transaction is sought to be given the colour of a criminal case.

Notice of motion.

Mr. Navneet Singh Kaliraman, Senior Deputy Advocate General, Punjab, accepts notice on behalf of the State.

Adjourned to 07.02.2024.

Meanwhile, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bond and surety to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of bail as provided under Section 438(2) Cr.P.C.”

3. The petitioner failed to join the investigation in compliance of the aforesaid directions, however, in the interest of justice, vide order dated 07.02.2024, he was granted one last opportunity to join the investigation on 19.02.2024.

4. Learned State counsel, on instructions imparted to him by ASI Pavinder Singh, submits that the petitioner has already joined the investigation in pursuance to the aforesaid order, and he has fully co-operated with the investigation process, and is no more required for any further custodial investigation.

5. In view of the specific stand taken by the learned State counsel, the present petition is allowed, and order dated 01.01.2024 is, hereby, made absolute, on the terms and conditions as envisaged under Section 438(2) of the Cr.P.C.

February 28, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No